

SEP 26 2003

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IN THE UNITED STATES PATENT and TRADEMARK OFFICE
Patent Applications Division

In re Application of Todd A. BLAND) Group Art Unit: 2875
Serial no.: 09/766,410) Examiner: Stephen F. HUSAR
filing date: 22 January 2001) Tel.nos.: 703-308-1932
Title: "Lofty Visual Warning Devices for Walking Shoes") 703-305-4939

Applicant-BLAND's September 2003 Response to
the 3 September 2003 Official Action

Honorable Assistant
Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Responsive to the 3 September 2003 Official Action, kindly
note applicant-BLAND's formal Response thereto, namely as follows:

As to page-1 of the 3 September 2003 Official Action: inasmuch
as neither box 2a nor box 2b is checked, applicant-BLAND reasonably ass-
umes that the 3 September 2003 Official Action is a NON-final Action.

The Examiner's objections appearing at page-1 (box 10b) and
at page-2 (paragraph-1) of the 3 September 2003 Official Action are
believed by applicant-BLAND to be an inappropriate objection because: at
page-5 (line-8) of the 22 January 2001-filed Specification, the reference
character "13" is described vis-a-vis the drawing.

Applicant-BLAND notes from page-1 (box-5) of the 3 September
2003 Official Action that the Examiner has therein hospitably received
applicant-BLAND's 24 January 2003 paper by now (3 Sept. 2003) allowing

According to his papers heretofore filed in this case, applic-
BLAND verily believes his 24 January 2003-filed paper makes claim

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2 and 9 directly dependent upon allowed independent Claim 10; and that his 23 June 23 2003-filed paper makes Claim 12 directly dependent upon allowed independent Claim 11.

In view of the Examiner's 3 September 2003 allowance of pending Claims 2 and 9-12, described hereabove, and solely for the purpose of facilitating an early Notice-of-Allowance in this application, applicant-BLAND hereby cancels (without prejudice) the presently pending objected-to Claims nos. 4, 5, 7, and 13.

Respectfully submitted,

Todd A. Bland 09/19/2003
Todd A. BLAND, the Applicant (date)
13708 Frederick ~~S~~ Avenue
Omaha, Nebraska 68138

Tel.no.: (402) 894-0033

Approved:

George R. Nimmer
George R. Nimmer,
PTO Reg. no. 21,004

Certificate of Mailing

I, *Todd A. Bland* (Todd A. BLAND) do hereby certify that this paper is being deposited with the U. S. Postal Service on this 8 day of September 2003 in a despatch envelope (1st class postage prepaid thereon) and addressed to : Commissioner for Patents

P. O. Box 1450
Alexandria, Virginia 22313-1450